



Orig: mine file  
cc - Braxton  
Hedberg  
B. Roberts

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FEB 15 1989

DIVISION OF  
OIL, GAS & MINING

**5M, INC., P.O. BOX 752, HURRICANE, UTAH 84737 (801) 635-4473**

February 13, 1989

State of Utah  
Department of Natural Resources  
Division of Oil, Gas and Mining  
3 Triad Center, Suite 350  
Salt Lake City, Utah

Attn: Mr. Lowell P. Braxton  
D. Wayne Hedberg

RE: Review of Reclamation Plan, 5M, Incorporated, Silver Reef  
Mine, M/053/002, Washington County, Utah

Division Letters: January 23, 1989 (Braxton)  
August 11, 1988 (Braxton)  
December 27, 1988 (Hedberg)

Dear Mr. Braxton:

Making reference to the above correspondence, we are to respond to your letter of January 23, 1989 by the 15th of February. Accordingly, the following is respectfully submitted:

5M, Incorporated accepts the terms and conditions of the Division letters, including surety amounts as outlined therein, with exceptions as follows:

- 1) The amount of Reclamation Surety @ \$102,000 can be reduced by providing to Division assurance that transformer does not contain PCB contaminants above the allowable levels.
- 2) That the reclamation suspension period of 10 years, with 6 years remaining thru 1994, be the minimum time allowed with provision for extension, if necessary.
- 3) 5M, Inc. agrees to furnish borrow sites as needed for topsoil reclamation.
- 4) As to 5M, Inc.'s commitment to dispose of toxic or hazardous materials to an approved disposal site, we agree as long as this does not require disposal offsite without our concurrence.

The documentation showing diligent pursuit by 5M, Inc.'s legal council in concluding the 5M, Inc./Kerley mining bond return

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to 5M, Inc. and the Silver Reef, will be forwarded under separate cover by our legal council, Mr. Clifford C. Dunn with offices in St. George, Utah.

We thank the Division for their cooperation in this permitting action. Should there be further information we can provide in obtaining tentative approval on the Silver Reef, please contact us where we can be helpful.

Sincerely,



Jerry Glazier,  
President

JG:s

cc: Mr. Clifford C. Dunn, Attorney